

[illegible]

ALS(S): 11651

On September 18, 2002, an order was entered dismissing this matter for want of prosecution. Despite being served with orders requiring Complainant to appear before

the Commission, as well as the scheduled public hearing, Complainant never appeared before this Commission nor did she appear for the scheduled public hearing. The matter is now ready for decision.

FINDINGS OF FACT

The following findings of fact are based upon the case file for this matter.

1. Both the Complainant and Respondent were served with notice of a Public Hearing set for December 12, 2001, at 10:-00 a.m., in this matter. On December 12, 2001, both parties appeared and a scheduling order was entered with a final status date of May 30, 2002. The order directed both parties to appear for the final status date.

2. On May 30, 2002, Respondent appeared for the final status date and Complainant failed to appear or otherwise explain why she did not appear. An order was entered directing Complainant to appear for a public hearing on September 18, 2002, at 9:30 a.m.

3. A copy of the May 30, 2001 order was sent to Complainant on June 4, 2002 with proof of service filed with the Commission on June 10, 2002.

4. On September 18, 2002, Respondents appeared for the scheduled public hearing and Complainant again failed to appear or otherwise notify the Commission as to the reason why she failed to appear.

5. On September 18, 2020, an order was entered dismissing this matter for want of prosecution.

CONCLUSION OF LAW

1. Complainant's apparent refusal and failure to appear before this Commission after she was ordered to do so, and; her failure to explain her absence and

refusal have unreasonably delayed the proceedings in this matter.

2. In light of Complainant's apparent abandonment of her claim, it is appropriate to dismiss this matter with prejudice.

DISCUSSION

Complainant was directed by this Commission to appear before it for final status on May 30, 2002, at 2:00 p.m., but failed to appear. She was then ordered to appear before this Commission for a public hearing on September 18, 2002, at 10:00 a.m. On September 18, 2002, Complainant again failed to appear as ordered and an order was entered dismissing this matter for want of prosecution..

Complainant's inaction has unreasonably delayed the proceedings in this matter, and it appears that Complainant simply has abandoned her claim. As a result, it is appropriate to dismiss this case with prejudice. See **Leonard and Solid Matter, Inc.**, ___ Ill. HRC Rep. ___, (1989CN3091, August 25, 1992).

RECOMMENDATION

Based upon the foregoing, it appears that Complainant has abandoned her claim. Accordingly, it is recommended that this case be dismissed in its entirety, with prejudice.

HUMAN RIGHTS COMMISSION

BY: _____
NELSON E. PEREZ
ADMINISTRATIVE LAW JUDGE
ADMINISTRATIVE LAW SECTION

ENTERED: October 16, 2002